

REMARKS

I. INTRODUCTION

Claim 1 has been amended. Claims 7, 13, 14 and 17-19 have been withdrawn. Claim 20 has been cancelled. Thus, claims 1-19 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 102(e) REJECTION SHOULD BE WITHDRAWN

Claims 1-6, 12, 14, and 16 stand rejected under 35 U.S.C. § 102(e) as anticipated by Beyerlein (U.S. Patent No. 5,528,861).

Claim 1, as amended, recites, “[a] window lift system, comprising: a pulling device including one upwardly pulling end and one downwardly pulling end; only a single catch for a window pane, *the catch being moved up and down by the pulling device and being connected to the pulling device only by the one upwardly pulling end and the one downwardly pulling end, the catch having (i) a first fastening point connected to the upwardly pulling end of the pulling device and (ii) a second fastening point connected to the downwardly pulling end of the pulling device, the second fastening point being horizontally off-set from the first fastening point in the window pane plane such that, by means of the upwardly pulling end and the downwardly pulling end, torque is transferred to the window pane pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted; and a positioning arrangement positioning and fixing the catch in respect of at least three degrees of freedom such that the catch is kept in a position defined in respect of said degrees of freedom even when the window pane is not fitted, wherein the positioning arrangement does not prevent the pulling device from transferring the torque to the window pane when the window pane is lifted.*”

Beyerlein discloses a cable-actuated window lifter that is raised along a guide rail (2) by means of a retainer (3). (See Beyerlein, col. 2, ll. 32-63, Fig. 1). An adjusting mechanism (4) has control cable ends (4a, 4b) connected to the retainer (3). (*Id.*). The Examiner refers to Beyerlein's second embodiment (shown in Figs. 6-10) to meet the recitation of claim 1. (See 4/6/11 Office Action, p. 2). Specifically, the Examiner refers to the retainer (3') of Beyerlein to meet the recitation in claim 1 of the catch. In the second embodiment of Beyerlein, the guide rail (2') has a T-shaped cross section. (See Beyerlein, col. 3, ll. 19-22). The lower portion of the T-shaped guide rail (2') is held between the two clamping cams (8') of the braking device (5'). (*Id.* at col. 3, ll. 22-26, Fig. 7). Each clamping cam (8') is biased towards the lower portion of the T-shaped guide rail (2') by means of bearing pins (6', 7'). The ends (4a, 4b) of the adjustment device (4) are attached to the cams (8') in a release direction X, shown in Fig. 7. However, Beyerlein fails to disclose or suggest that a torque is applied "*to the window pane pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted.*" That is, the ends (4a, 4b) of the adjustment device (4) do not transfer a torque to the window, as recited in claim 1.

Furthermore, with regards to the first embodiment of Beyerlein, it is evident from Fig. 5 that the guide rail (2) is surrounded by the retainer (3) and the clamp that is attached to the retainer (3). (See Beyerlein, Fig. 5). Since there are two of these clamps attached to the retainer (3) at a longitudinal offset along the guide (2), there can only be one degree of freedom for the retainer (3), i.e. translation. For this reason, it would not be possible to transfer torque, by means of the ends (4a, 4b) of the adjustment device (4), to the window. A torque would only press the retainer (3) against the guide (2). However, such a torque is not applied to the retainer (3) because the ends (4a, 4b) of the adjustment device (4) are attached to the clamping block (7) and not the retainer (3). Since the clamping block (7) is connected to the retainer (3) via a bearing pin (6), a torque applied to the clamping block (7) would merely cause a rotation of the block around the bearing pin (6).

Accordingly, it is therefore respectfully submitted that Beyerlein fails to teach or suggest “*the second fastening point being horizontally off-set from the first fastening point in the window pane plane such that, by means of the upwardly pulling end and the downwardly pulling end, torque is transferred to the window pane pressing the window pane against a guide edge independently of a direction of movement of the window pane when the window pane is fitted; and a positioning arrangement positioning and fixing the catch in respect of at least three degrees of freedom such that the catch is kept in a position defined in respect of said degrees of freedom even when the window pane is not fitted, wherein the positioning arrangement does not prevent the pulling device from transferring the torque to the window pane when the window pane is lifted,*” as recited in amended claim 1. Therefore, Applicants respectfully request the withdrawal of the 35 U.S.C. § 102(e) rejection of claim 1 and its dependent claims 2-6, 12, 14, and 16.

III. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

Claims 8-11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Beyerlein in view of Thomas (U.S. Patent No. 5,992,099).

Applicants respectfully submit that Thomas fails to cure the above-identified deficiencies of Beyerlein and that Beyerlein and Thomas, alone or together, fail to disclose the above-cited recitation of claim 1. Because claims 8-11 depend on and, therefore, contain all of the limitations of claim 1, the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 8-11 is respectfully requested.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: July 28, 2011

By: 

Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, New York 10038
Tel: (212) 619-6000
Fax: (212) 619-0276